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C O N F I D E N T I A L SECTION 01 OF 02 LAGOS 000100

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TAGS: [PREL](#) [PGOV](#) [NI](#)

SUBJECT: OYO GOVERNORSHIP IN TURMOIL

REF: LAGOS 0004

Classified By: Acting Consul General William Howe for Reason 1.4(D)

SUMMARY

1. (U) Turmoil continues over the governorship of Oyo State as both sides refuse to give ground. Embattled Governor Rasheed Ladoja, disputing the propriety of each step of the impeachment process, has filed suit in the Federal High Court to nullify his ouster and maintain his control of access to Oyo State financial accounts until the dispute is resolved. Alao Akala, Ladoja's deputy governor who was recently sworn-in as governor, filed counter-motions to have Ladoja's suits dismissed as "incompetent". President Obasanjo has declined to get publicly involved, and the next move appears to be in the hands of the courts. A rally protesting Ladoja's removal was held on January 23 in Ibadan. End summary.

IMPEACHMENT MOVES FORWARD, OR DOES IT?

2. (U) On January 12, eighteen members of the Oyo State House of Assembly impeached Governor Rasheed Ladoja. The members said the vote was taken after they reviewed the investigative panel's report that found the governor guilty of nine of the fourteen allegations leveled against him. Soon thereafter the state's acting chief judge swore-in Ladoja's deputy, Alao Akala, as new governor. Akala then proceeded to the home of Lamidi Adedibu, Oyo political heavyweight and Ladoja opponent, and pledged his loyalty, promising to work closely with the politician.

3. (U) Concurrent with the Akala's swearing-in, an Ibadan High Court was ruling on an application filed by the fourteen assemblymen loyal to Governor Ladoja, asking the court to restrain the acting chief judge from setting up the investigative panel. The complaint claimed the procedure followed to establish the panel was unconstitutional. The judge upheld the assemblymen's application and declared the investigative panel illegal. Emboldened by this ruling, Ladoja issued a statement reasserting his position of the governorship. "I was elected following due process and if I am going to be removed, due process must be observed," said Ladoja.

4. (U) The embattled Ladoja also filed suit in the Federal High Court to nullify the impeachment process as unconstitutional and to block access to state financial accounts until the dispute is resolved.

5. (U) Since his December statements favoring Adedibu (reftel), President Obasanjo has stayed out of the fray publicly. The day before the vote to impeach Ladoja, the President stated that, because the judiciary was already involved, the process had advanced beyond the point where his intervention was appropriate.

6. (U) Tension in Ibadan had increased dramatically in the days immediately following the disputed impeachment vote, and heavily-armed police with armored cars were deployed at each of the four gates leading into the state government complex to enforce the impeachment action and prevent Ladoja from resuming office. The level of security has since been returned to normal.

IMPEACHMENT PROMPTS PROTEST RALLY

6. (U) A rally to protest Governor Ladoja's impeachment was held on January 23 in Ibadan by a number of civil society, labor, student, and activist groups. Police were on hand early in the morning, and ordered the crowd to disperse, which most did, before they fired teargas to clear the remaining protesters. Moshood Erubami, head of the Campaign for Democracy and noted leader of anti-government

demonstrations during the Abacha regime, led the demonstration. Police took Erubami into custody after he lingered in the area, and he was later released on bail.

COMMENT

17. (C) The impeachment of Governor Ladoja bears a striking resemblance to that of former Bayelsa State Governor Diepreye Alamieyeseigha. In both cases the assemblies rushed the impeachment process with little reference to court rulings and constitutional provisions. The two cases also seemed to greatly interest the President. During a recent trip to Ibadan President Obasanjo urged Ladoja to resign to forestall his impeachment. The press criticized the role of security agents in the impeachment processes. Ladoja publicly alleged that he "...was forced out of government by brute force." Police and other security agents' activities suggested they were following orders from those bent on removing the governors.

18. (C) Comment continued: However, a major difference between the Bayelsa and Oyo cases is the willingness of some Oyo judges to take a stand, denying Akala the chance to gain momentum and public legitimacy by assuming the governorship. This pause allowed Ladoja to raise the dispute to the Federal High Court.

19. (C) Comment continued: Past experience suggests it is unlikely that Ladoja will be successful in retaining his office. Perhaps the real question is how much longer, and how publicly, will the saga continue. The growing level of judicial involvement raises the case's profile and will make it more awkward, if not more difficult, for a contrary resolution to be imposed. While this probably will not be enough to save Ladoja's position, it may give pause to those viewing "expedited impeachment" as a convenient tool to remove political enemies. The Oyo imbroglio has led Nobel laureate Wole Soyinka to call for the President's impeachment due to his perceived involvement and close connection with the apparent victor in the struggle, Lamidi Adedibu. End comment.

HOWE